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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/675,620	09/29/2000	Daniel Rodman Hicks	ROC920000200	9570

7590 12/17/2003

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EXAMINER

KISS, ERIC B

ART UNIT	PAPER NUMBER
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2122

DATE MAILED: 12/17/2003

7

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action	Application No 09/675,620	Applicant(s) HICKS, DANIEL RODMAN	
	Examiner Eric B. Kiss	Art Unit 2122	

--Th MAILING DATE of this communication appears on th cover sheet with the correspondence address --

THE REPLY FILED FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.
ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
 - (b) ☐ they raise the issue of new matter (see Note below);
 - (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
 - (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____

3. ☒ Applicant's reply has overcome the following rejection(s): See Continuation Sheet.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, ~~the proposed amendment(s) a) ☐ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.~~

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: _____

Claim(s) objected to: 22 and 25-28

Claim(s) rejected: 1-21, 23, and 24

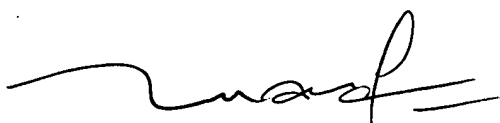
Claim(s) withdrawn from consideration: _____

8. ☒ The drawing correction filed on 24 November 2003 is a) ☐ approved or b) ☒ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____
10. ☒ Other: See Continuation Sheet

Continuation of 3. Applicant's reply has overcome the following rejection(s): the rejection of claims 22-28 under 35 U.S.C. §103(a) as unpatentable over U.S. Patent No. 5,805,899 (EVANS et al.) in view of U.S. Patent No. 6,298,478 (NALLY et al.).

Continuation of 5. does NOT place the application in condition for allowance because: Applicant's arguments are not persuasive. Applicant's cited portion of the specification does not appear to provide any formal lexicon for "inter-compilation version conflicts" or "inter-compilation module calls" and therefore, does not provide a compelling reason why the Examiner's interpretation of these terms, as applied in the rejection of claims 1-21, 23, and 24, is precluded by Applicant's specification.

Continuation of 10. Other: The Examiner notes that the replacement drawings appear to overcome the remaining objections to the drawings as detailed in the previous office actions (Paper Nos. 2 and 4). However, the replacement drawings fail to comply with the requirements set forth in 37 CFR 1.121 which states that any replacement drawing sheet must be identified in the top margin as "Replacement Sheet" (see revised 37 CFR 1.121; effective date: July 30, 2003).



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SUPERVISORY PATENT EXAMINER